

2007

□□ □□ □□



CPT Graham Smith
Administrative Law Attorney
Area III

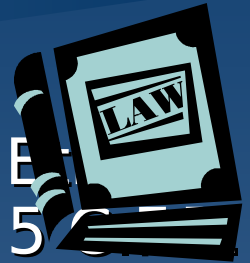
□□ □□

- □□ □□□ □□□ - 14 □ □□
(3 Slides)
- □□ , □□□ (8 Slides)
- □□ □□ · □□ □□ □□ (6 Slides)

DOJ - DOJ

DOJ DOJ DOJ DOJ DOJ DOJ DOJ DOJ DOJ DOJ .

- DOJ (Code of Ethics) - 14 DOJ
- DOJ DOJ DOJ DOJ DOJ DOJ DOJ DOJ DOJ DOJ (Standards of DOJ Conduct for Executive Branch Employees 5 DOJ Part 2635)
- DOJ DOJ DOJ
(The Joint Ethics Regulation (JER), DoD 5500.7-R.)
- DOJ DOJ 18 DOJ 203, 207, 208 DOJ



*** DOJ DOJ DOJ *** *** DOJ DOJ DOJ ***

□□□ (CODE OF ETHICS)

PRINCIPLES OF ETHICAL CONDUCT

1. Public Service is a public trust, requiring employees to place loyalty to the Constitution, the laws and ethical principles above private gain.

2. Employees shall not hold financial interests that conflict with the conscientious performance of duty.

3. Employees shall not engage in financial transactions using nonpublic Government information or allow the improper use of such information to further any private interest.

4. An employee shall not, except as [provided for by regulation], solicit or accept any gift or other item of monetary value from any person or entity seeking official action from, doing business with, or conducting activities regulated by the employee's agency, or whose interests may be substantially affected by the performance or nonperformance of the employee's duties.

5. Employees shall put forth honest effort in the performance of their duties.

6. Employees shall not knowingly make unauthorized commitments or promises of any kind purporting to bind the Government.

7. Employees shall not use public office for private gain.

8. Employees shall act impartially and not give preferential treatment to any private organization or individual.

9. Employees shall protect and conserve Federal property and shall not use it for other than authorized activities.

10. Employees shall not engage in outside employment or activities, including seeking or negotiating for employment, that conflict with official Government duties and responsibilities.

11. Employees shall disclose waste, fraud, abuse, and corruption to appropriate authorities.

12. Employees shall satisfy in good faith their obligations as citizens, including all just financial obligations, especially those--such as Federal, State, or local taxes--that are imposed by law.

13. Employees shall adhere to all laws and regulations that provide equal opportunity for all Americans regardless of race, color, religion, sex, national origin, age, or handicap.

14. Employees shall endeavor to avoid any actions creating the appearance that they are violating the law or ethical standards. Whether particular circumstances create an appearance that the law or these standards have been violated shall be determined from the perspective of a reasonable person with knowledge of the relevant facts.

□□□ (Code of Ethics) □□

1. □□ □□ = □□ □□
2. □□ □□□ □□□ □□□ □ □□
□□□ □□□ □□
3. □□□□ □□ □□□
4. □□ □□
5. □□□ □□
6. □□ □□ □□ □□
7. □□ □□□ □□ □□ □□□ □□

□□□ (CODE OF ETHICS) □□

[□□□]

8. □□ , □□
9. □□ □□ □□
10. □□ □□□ □□□ □□□□ □□ □□
11. □□ , □□ , □□
12. □□□□□□ □□
13. □□ □□
14. □□□□ □□ □□

00 - 000

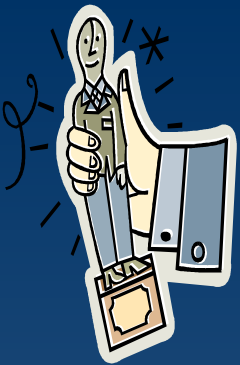


00, 000

- 00_00 : 0000 000 000 000 0000 000 000 0
0 000 000000 00 0 00 .

00000 000 00 00 0000 ★★★★★ 00000 .

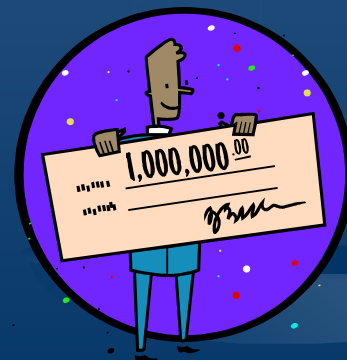
- 00_00 : 0000 000 00 00 00000 000 00 00
000 , 00 000 000 00000 00 . 0 , 0000 00 00
!



□□□ □□ □□ ?



- □□□ □□ / □□ (□ / □□□)
- □□□ □□ □□□ □□ □□
(□□ □□, □□ □)
- □□ / □□ / □□ □□ - □□□□□ □□□ □□ □
□□ □□ □□□ □
- □□□ □□□ □□□ □□ □□



□□□ □□□ □□ · □□□

■ □□□ □□ / □□□ □□□□

■ □□

■ \$20/\$50 □□

■ □□□ □□□ □□ □□

■ □□ □□□ □□□ □□



□□□□ □□□ □□

- □□□□ □□□□
- □□□ □□□□ □□ - □□□□□ □□□ □□□□ □□□□ □□□□
- □□□ □□□□ □□ - □□□ □□□□ □□□ □□□□
- □□□ □□ □□ - □□□□ □□ □□□□□□ □□□□
 - □□ □□□ □□
 - □□□□□ □□ □□□
 - □□



□□ □□□ □□□ □□

- □□□ □□□□ □□
- □□□□ □□□□ □□ □□□□
- □□□ **\$305** □□□ □□ □ □□
- \$305 □□□□ □□□ □□ □□□ □□□ □
- □□ - □□ □ □□ . □□□
□ □□□□ □□□□□ □



消費者保護法

- 消費者保護法：消費者が事業者から受ける被害を防止し、消費者の利益を保護することを目的とする法律。
- 消費者保護法の目的
 - \$10 円 (100 円)
 - 消費者
 - 消費者が事業者から受ける被害を防止し、消費者の利益を保護することを目的とする法律
 - 消費者 / 事業者 (100 \$300 円)
 - \$10 円 消費者が事業者から受ける被害を防止し、消費者の利益を保護することを目的とする法律

SOFA 會員服務 簡介

■ 會員

- 會員服務中心 簡介
- Class VI, 會員 / 會員

■ 會員

- 會員 服務中心 簡介
- \$50 會員 PX / BX 會員
- 會員 服務中心 Hartell House Special Membership Account – 會員 / 會員

□ □ □ □ □
□ □ □ □ □ □ □



□□□□ / □□□ □□□ □□

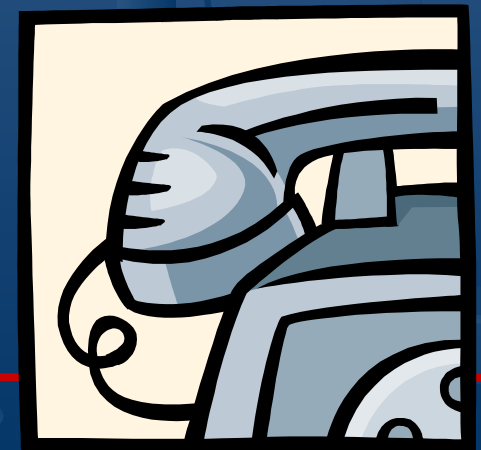
- □□□□□□□□ □□□ □□ □□
- □□ (□□ □□ □□)
- □□□□
- □□□
- □□□□ (E-mail)
- □□□



□□ □□

■ □□

■ AR 25-1 (15 Jul 05) □ □□□ □□□□□ □□□ □
□- □□ □□□ □□□ □□





□□□□ □□□□

Yes!

- □□
- □□□ □□
> □□□ □□ □□
> □□□ □□
> □□ □□ □□□□ □□ □□
□ □□ □□ □
- □□□ □□□ □□□ □□□ □□□
□ □□
- □□ □□□ □□□ □□□ □□□□
□□

No No's!

- □□□ , □□ □□□
- □□□ □□ (P2P □ □□ □□ □
□□□)
- □□
- □□□ □□ , □□ , □□ (□□
□□□ □□ □□□ □□□ □□)
- □□ □□
- □□□□□ □□□ □□

□□ □□ □□□ □□

■ □□ □□ □□□ □□ □□□ □□□□ □□ □□□ □□□□□
□□ □ □ □□



□□ □□□ □□□ □□



□□ □□

■ □□ : □□□□□□ □□□
□□ □□□ □□□ □□□ .



□□

■ □□ : □□□□□ □□
□□□ □□□□ □□□ □
□□ □□□ .



FAMILY READINESS GROUPS



FAMILY READINESS GROUPS

- Family Readiness Groups (FRGs) are official “command sponsored” Army programs
- Primary purposes of FRGs:
 - Disseminate information
 - Ensure personal and family readiness
 - Provide mutual support and assistance
- Formerly known as Family Support Groups (FSGs)

OFFICIAL SUPPORT FOR FRGs & FUNDRAISING



- Appropriated funds are authorized for FRG mission activities
- Government office space and equipment may be used for FRG mission activities
- FRGs have limited fundraising authority
- FRGs may create informal funds
- Members of FRGs may only fundraise for informal funds among their own members

OFFICIAL AND PERSONAL PARTICIPATION IN PRIVATE ORGANIZATIONS



OFFICIAL PARTICIPATION IN POs or NFEs

3 Topics:

1. Official Management
2. Attendance in an Official Capacity
3. Providing Speakers & Panel Members



OFFICIAL PARTICIPATION IN POs or NFEs

1. Official Management -- **PROHIBITED**

Exception: Service Secretary and DoD General Counsel authorization.

2. Attendance in an Official Capacity

Supervisor determination. Requires a **legitimate Government purpose**.

3. Providing Speakers & Panel Members

May be authorized. Contact your ethics counselor.

OFFICIAL ENDORSEMENTS

- Endorsement of a private organization event, product, service **MAY NOT** be stated or implied by soldiers or DA civilians in their official capacities

Exceptions to Endorsements:

- CFC
- AER
- Disaster Appeals approved by OPM, and
- Organizations consisting of Army / DoD employees/dependents when conducting internal fundraising for informal funds when approved by the Commander



PERSONAL PARTICIPATION IN PRIVATE ORGANIZATIONS



PERSONAL PARTICIPATION

- May join, participate in, or hold office in POs or NFEs in their personal capacities, but when participating in POs or NFEs, Soldiers and Army civilians must act exclusively outside the scope of their official positions.
- MAY **NOT** use official titles/positions/organization names in connection with PO or NFE activities

Exception: May use grade and military department as part of the name (e.g., Major Smith, U.S. Army).

NO MEMBERSHIP OR POSITION IF OFFERED DUE TO OFFICIAL POSITION

- Membership or position in a PO may **not** be accepted if it was offered because of an employee's official position



NO SOLICITATION



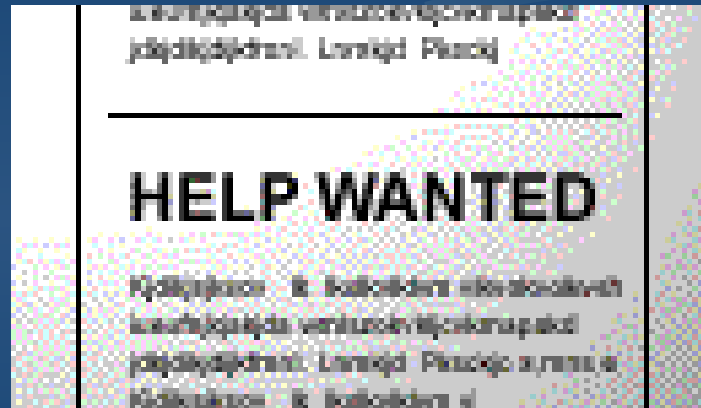
- **May not solicit subordinates or prohibited sources (e.g. contractors) in PO fundraising campaigns or membership drives**
- **May not permit the use of their names in a PO solicitation that targets subordinates or prohibited sources**

CONFLICTS OF INTEREST PROHIBITED

- An employee who is an officer, director, or employee of a PO may **not** participate in official DOD matters involving the organization.
- Employees may **not** represent a PO to the Government.

Exception: uncompensated representation for certain nonprofit professional, recreational, and similar organizations. Check with EC.

Seeking Employment



Applicable



- Procurement Integrity Act
- 18 U.S.C. Section 208
- Joint Ethics Regulation
- Standards of Ethical Conduct for Executive Branch Employees

Seeking Employment Procurement Integrity Act

- Participating personally and substantially
- Competitive procurement
- Valued in excess of simplified threshold (currently \$100,000)
- You contact or are contracted by a bidder or offeror in the procurement

YOU MUST:

Requirements

- Promptly report the contact in writing to:
 - Your supervisor and
 - Ethics Counselor
- And*
- Reject the offer, *or*
- Disqualify yourself from further involvement in the procurement

Seeking Employment

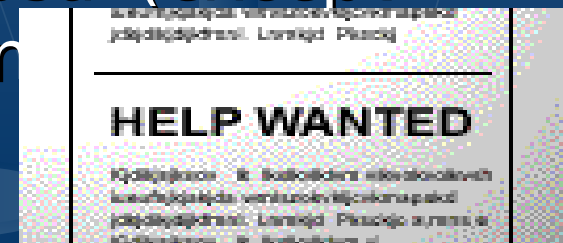
Conflicts of Interest

- You may **not** take any official action that affects a company with which you are negotiating for employment or have an arrangement concerning prospective employment
- JER 5-301 applies to National Guard and enlisted personnel

*18 U.S.C. § 208
5 C.F.R. § 2635.402*

“Seeking Employment”

- 5 C.F.R.2635.603(b)
- You are “seeking employment” when you:
 - engage in negotiations
 - make unsolicited employment contact
 - includes sending resume
 - excludes requesting job application
 - respond to unsolicited proposal (except uncondition



Termination of Seeking Employment

You are no longer “seeking employment” when:

- either party rejects proposal and discussions have terminated, or



- two months have passed after mailing resume and no response



Disqualification

To avoid violation:

- Take no action
- Written notice to supervisor (JER 2-204)
- Supervisor response:
 - Written
 - Recusal
 - Copy to Ethics Counselor & subordinates



RESTRICTIONS ON MILITARY PERSONNEL

- Employment with and/or compensation from foreign government
 - Must get approval from Service Secretary
- No civil office while on transition (formerly terminal) leave
- 6-month waiting period before working for DoD
 - This restriction is suspended indefinitely
- Permissive TDY issues



Post-Government Employment



Post-Government Employment Restrictions

Representational Restrictions

18 U.S.C. § 207

Prohibits representing another before U.S. Government with intent to influence

- Lifetime ban
- 2-year ban
- 1-year cooling-off period for senior employees
- 1-year ban on senior employees representing foreign entities

Lifetime Ban

- 18 U.S.C. § 207(a)(1)
- **May not:**
 - Communicate/appear on behalf of another
 - With “intent to influence”
 - Regarding a “particular matter”
 - Involving specific parties
 - Where participated “personally and substantially” as Federal employee
 - Behind-the-scenes assistance permitted

Definitions

- **“Particular matter”** -- includes a judicial or other proceeding, application, request for a ruling or other determination, contract, claim, controversy, or investigation. Generally, does not include rulemaking, formulation of general policy, standards or objectives, or other matters of general application.
- **“Intent to influence”** -- seeking some discretionary action, ruling, benefit, or approval. Does not include purely social contacts or requesting publicly available information.

Definitions (Continued)

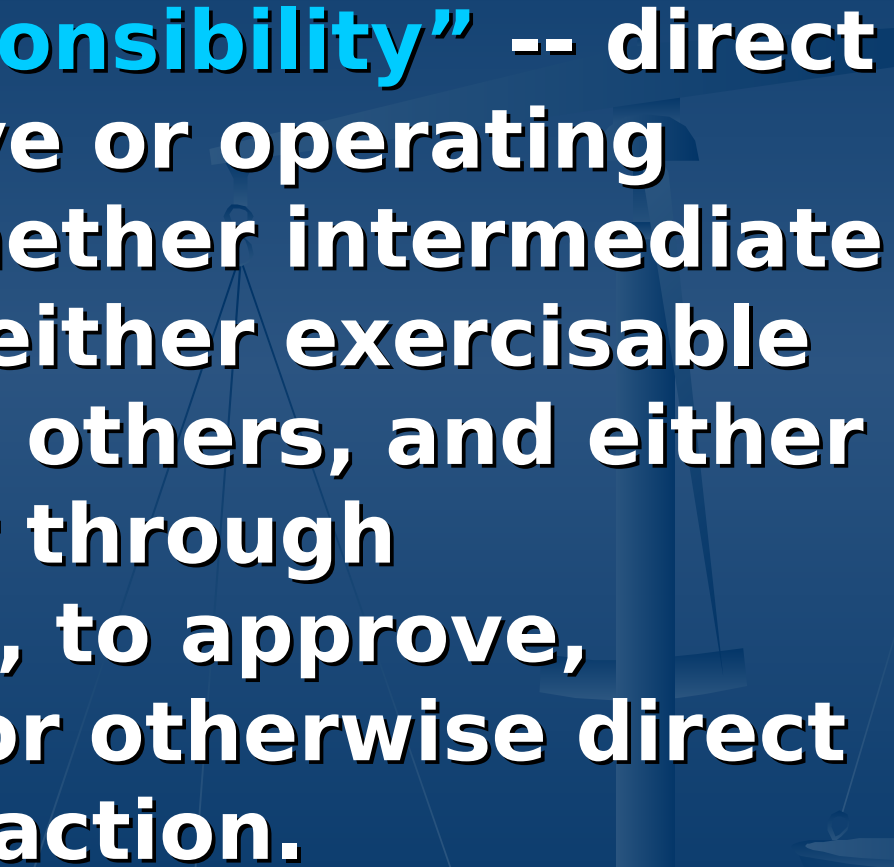
- Participate “personally and substantially” -- to participate directly and significantly by decision, approval, recommendation, rendering of advice or investigation. Includes actions of a subordinate if actually directed by the former employee.

2-Year Ban

- *18 U.S.C. § 207(a)(2)*. May not, within 2 years of termination of Government service
 - Communicate/appear on behalf of another
 - With “intent to influence”
 - Regarding a “particular matter”
 - Involving specific parties
 - Under “**official responsibility**” during last year of Government service
- Behind-the-scenes assistance permitted

Definitions

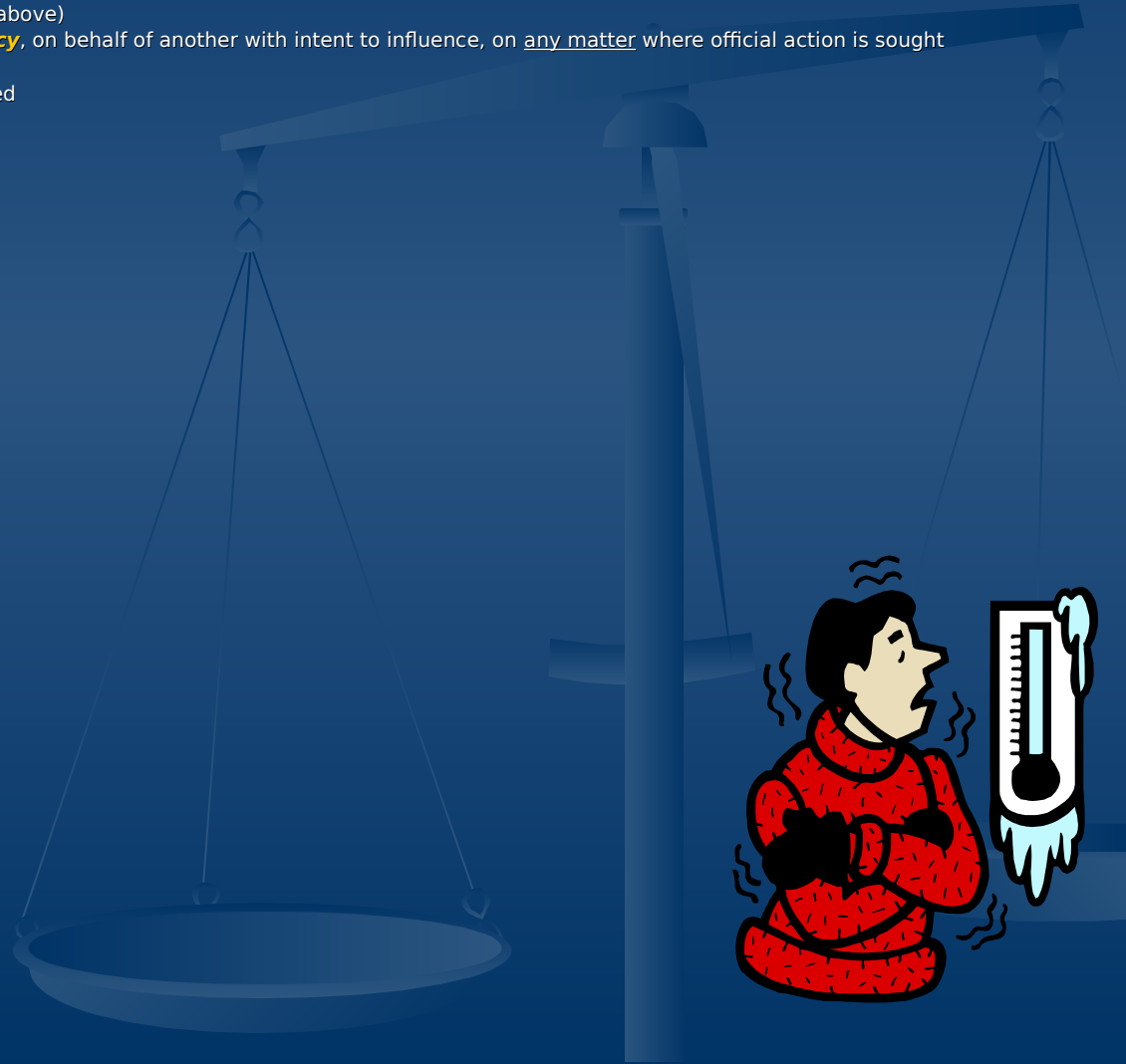
“Official responsibility” -- direct administrative or operating authority, whether intermediate or final, and either exercisable alone or with others, and either personally or through subordinates, to approve, disapprove, or otherwise direct Government action.

A faint, stylized image of a balance scale is visible in the background, positioned on the right side of the slide. The scale is tilted, with the right pan being lower than the left pan. The image is rendered in a light blue color that blends with the dark blue background.

1-Year Cooling-Off Period

18 U.S.C. § 207(c)

- Applies to former senior employees(O-7 and SES Level 5 and above)
- Prohibits communication or appearance before **former agency**, on behalf of another with intent to influence, on any matter where official action is sought
- Behind-the-scenes assistance permitted
- Communications to other DoD components permitted





- **Play it safe** - ask your ethics counselor **BEFORE** taking any action.
 - OJA, UNC/USFK/EUSA, Administrative Law Division (Attention: Ethics Counselor)
 - DSN 315-723-6631/7092
- **DoD Standard of Conduct Office (SOCO):**
http://www.dodgc.mil/dodgc/defense_ethics

